



Senate

General Assembly

File No. 345

February Session, 2010

Substitute Senate Bill No. 292

Senate, April 7, 2010

The Committee on Human Services reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING HOMELESS YOUTH.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2010*) (a) As used in this
2 section:

3 (1) "Homeless youth" means a person under twenty-one years of age
4 who is without shelter where appropriate care and supervision are
5 available and who lacks a fixed, regular and adequate nighttime
6 residence, including youth under the age of eighteen whose parent or
7 legal guardian is unable or unwilling to provide shelter and
8 appropriate care;

9 (2) "Fixed, regular and adequate nighttime residence" means a
10 dwelling at which a person resides on a regular basis that adequately
11 provides safe shelter, including (A) a publicly or privately operated
12 institutional shelter designed to provide temporary living
13 accommodations; (B) transitional housing; or (C) a temporary
14 placement with a peer, friend or family member who has not offered a

15 permanent residence, residential lease or temporary lodging for more
16 than thirty days; and

17 (3) "Aftercare services" means continued counseling, guidance or
18 support for not more than six months following the provision of
19 services.

20 (b) The Department of Children and Families, within available
21 appropriations, may establish a program that provides public
22 outreach, shelter and transitional living services for homeless youth
23 and youth at risk of homelessness. The department may enter into a
24 contract with nonprofit organizations or municipalities to implement
25 this section. Such program shall have the following components:

26 (1) A public outreach and drop-in component that provides youth
27 drop-in centers with walk-in access to crisis intervention and ongoing
28 supportive services, including one-to-one case management services
29 on a self-referral basis and public outreach that locates, contacts and
30 provides information, referrals and services to homeless youth and
31 youth at risk of homelessness. Such component shall include, but not
32 be limited to, information, referrals and services for (A) family
33 reunification services, conflict resolution or mediation counseling; (B)
34 temporary emergency shelter, case management aimed at obtaining
35 food, clothing, medical care or mental health counseling, counseling
36 regarding violence, prostitution, substance abuse, sexually transmitted
37 diseases, HIV and pregnancy, and referrals to agencies that provide
38 support services to homeless youth and youth at risk of homelessness;
39 (C) education, employment and independent living skills; (D) aftercare
40 services; and (E) specialized services for highly vulnerable homeless
41 youth, including teen parents, sexually-exploited youth and youth
42 with mental illness or developmental disabilities;

43 (2) An emergency shelter component that provides homeless youth
44 with referrals and walk-in access to short-term residential care on an
45 emergency basis that includes voluntary housing, with private shower
46 facilities, beds and at least one meal each day, and assistance with
47 reunification with family or a legal guardian when required or

48 appropriate. Services provided at emergency shelters may include, but
49 need not be limited to, (A) family reunification services or referral to
50 safe housing; (B) individual, family and group counseling; (C)
51 assistance in obtaining clothing; (D) access to medical and dental care
52 and mental health counseling; (E) education and employment services;
53 (F) recreational activities; (G) case management, advocacy and referral
54 services; (H) independent living skills training; and (I) aftercare
55 services and transportation; and

56 (3) A transitional living component that (A) assists homeless youth
57 in finding and maintaining safe housing, and (B) includes rental
58 assistance and related supportive services. Such component shall
59 include, but not be limited to, (i) educational assessment and referral to
60 educational programs; (ii) career planning, employment, job skills
61 training and independent living skills training; (iii) job placement; (iv)
62 budgeting and money management; (v) assistance in securing housing
63 appropriate to needs and income; (vi) counseling regarding violence,
64 prostitution, substance abuse, sexually transmitted diseases and
65 pregnancy, referral for medical services or chemical dependency
66 treatment; and (vii) parenting skills, self-sufficiency support services or
67 life skills training and aftercare services.

68 Sec. 2. (NEW) (*Effective October 1, 2010*) A public or private agency
69 serving children and youth may provide services to a homeless child
70 or youth, as defined in 42 USC 11434a, unless the parent or guardian
71 does not consent to such services or withdraws such consent. Such
72 agency shall make all reasonable efforts to contact the parent or
73 guardian for consent and shall be immune from liability, civil or
74 criminal, which might otherwise be incurred or imposed, provided the
75 agency provided such services in good faith and not negligently.

76 Sec. 3. (NEW) (*Effective October 1, 2010*) On or before February 1,
77 2012, and annually thereafter, the Commissioner of Children and
78 Families, using the format prescribed by the results-based
79 accountability subcommittee of the joint standing committee of the
80 General Assembly having cognizance of matters relating to

appropriations and the budgets of state agencies, shall submit a results-based accountability report card of the program established under section 1 of this act, in accordance with section 11-4a of the general statutes, to the select committee of the General Assembly having cognizance of matters relating to children. The report card shall include recommendations for any changes to the program to ensure that the best available services are being delivered to homeless youth and youth at risk of homelessness.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	New section
Sec. 2	<i>October 1, 2010</i>	New section
Sec. 3	<i>October 1, 2010</i>	New section

Statement of Legislative Commissioners:

In section 2, the phrase "provided the agency provided such services in good faith and not negligently" was substituted for "provided such services were in good faith and not negligent". In section 3, "accountability" was inserted before "subcommittee".

KID *Joint Favorable Subst. C/R* HS

HS *Joint Favorable Subst.-LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Children & Families, Dept.	GF - Potential Cost	See Below	See Below
Various State Agencies	Various - Cost Avoidance	Potential	Potential

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 11 \$	FY 12 \$
Various Municipalities	Cost Avoidance	Potential	Potential

Explanation

The bill grants discretionary authority to the Department of Children and Families (DCF) to establish a program for homeless youth and youth at-risk of homelessness. As no funding has been included within sHB 5018 (the Revised FY 11 Budget, as favorably reported by the Appropriations Committee) for this purpose, implementation would not be expected until such time that resources allow.

Program costs would vary with the number of youth served. While reliable counts of homeless youth are not available, a Department of Housing and Urban Development survey found 367 unaccompanied children under eighteen in Connecticut in 2005.

For comparison purposes, estimated approximate annual costs of service types required by the bill are:

	Annual Cost
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Drop-in Programs, per site	\$20,000
Emergency Youth Shelter, per bed	\$55,000
Transitional Living, per bed	\$62,050
Public Outreach Campaign	\$35,000

Following implementation, the department would be able to produce the required results-based-accountability report card without incurring a fiscal impact.

Section 2 renders immune from civil or criminal liability any public agency serving a homeless child or youth, after making reasonable efforts to contact the parent/guardian for consent, unless consent is refused or withdrawn. This could result in savings for state or municipal entities by precluding litigation and/or judgment awards or settlements.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources:	Office of Legislative Research, "Poverty, Homelessness, and Children." July, 2008.
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OLR Bill Analysis**sSB 292*****AN ACT CONCERNING HOMELESS YOUTH.*****SUMMARY:**

This bill authorizes the Department of Children and Families (DCF), within appropriations, to establish a program for homeless youth and youth at risk of becoming homeless. The program may include (1) public outreach, (2) emergency shelter, and (3) transitional living services. DCF can contract with nonprofit organizations or towns to implement its program.

The commissioner must submit annual results-based accountability report cards on this program to the Children's Committee beginning February 1, 2012.

EFFECTIVE DATE: October 1, 2010

DEFINITIONS***Homeless Youth***

Under the bill, a homeless youth is a person under age 21 without (1) shelter where appropriate care and supervision are available or (2) a fixed, regular, and adequate nighttime residence, including youth under age 18 whose parent or legal guardian is unable or unwilling to provide shelter and appropriate care.

Fixed, Regular, and Adequate Nighttime Residence

The bill defines "fixed, regular, and adequate nighttime residence" as a dwelling at which a person resides on a regular basis that adequately provides safe shelter, including (1) a publicly or privately operated institutional shelter designed to provide temporary living accommodations; (2) transitional housing; or (3) temporarily living with a peer, friend, or family member who has not offered a

permanent residence, residential lease, or temporary lodging for more than 30 days.

Aftercare Services

“Aftercare services” are continued counseling, guidance, or support up to six months following the provision of services.

PUBLIC OUTREACH

Under the bill, a public outreach and drop-in component is one that provides youth drop-in centers with walk-in access to crisis intervention and ongoing supportive services. Services include one-to-one case management services on a self-referral basis and public outreach that locates, contacts, and provides information, referrals, and services to homeless youth and youth at risk of homelessness. This component must include information, referrals, and services for:

1. family reunification, conflict resolution, or mediation counseling;
2. temporary emergency shelter; case management aimed at obtaining food, clothing, and medical care or mental health counseling; counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases, HIV, and pregnancy; and referrals to agencies for support services;
3. improving education, employment, and independent living skills;
4. aftercare; and
5. highly vulnerable homeless youth, including teen parents and those who have been sexually-exploited or have mental illness or developmental disabilities.

EMERGENCY SHELTER

The program must include an emergency shelter component providing homeless youth referrals and walk-in access to short-term residential care on an emergency basis. This includes voluntary housing with private shower facilities, beds, and at least one meal a

day, and assistance with reunification with family or a legal guardian when required or appropriate.

Services provided at emergency homeless shelters may include:

1. family reunification services or referral to safe housing;
2. individual, family, and group counseling;
3. assistance in obtaining clothing;
4. access to medical and dental care and mental health counseling;
5. access to education and employment services;
6. recreational activities;
7. case management, advocacy, and referrals;
8. independent living skills training; and
9. aftercare and transportation.

TRANSITIONAL LIVING

The program must also have a transitional living component that (1) assists homeless youth in finding and maintaining safe housing and (2) includes rental assistance and related supportive services. It must include:

1. educational assessment and referrals to educational programs;
2. career planning, employment, job, and independent living skills training;
3. job placement;
4. budgeting and money management;
5. assistance in getting housing appropriate to needs and income;
6. counseling about violence, prostitution, substance abuse,

sexually transmitted diseases, and pregnancy and referrals for medical services or drug or alcohol dependence; and

7. parenting skills, self-sufficiency support services, or life skills training; and
8. aftercare.

PARENTAL NOTIFICATION

The bill allows agencies to provide services to homeless children and youth unless a parent refuses to give or rescinds permission. Agencies must make all reasonable efforts to contact a parent or guardian for consent and presumably must stop providing services when the parent objects. But since the age of majority is 18 (or 16 if the child is legally emancipated), parental permission for this group cannot be required.

If the agency acts in good faith and without negligence, under the bill they are immune from liability. However, it is unclear if this provision has any legal effect, as agencies are ordinarily not liable for acts undertaken without negligence.

REPORT CARDS

Under the bill, beginning February 1, 2012, the DCF commissioner must submit an annual results-based accountability (RBA) report card for the program to the Children's Committee. She must use the format prescribed by the RBA subcommittee of the Appropriations Committee.

The report card must include recommendations for any program changes to ensure that the best available services are being delivered to homeless youth and youth at risk of homelessness.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference
Yea 11 Nay 1 (03/09/2010)

Human Services Committee

Joint Favorable

Yea 16 Nay 3 (03/23/2010)